IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI. APPLICATION NO.8532 OF 2005
IN
CRI.APPEAL NO. 1252 OF 2005

Vinod Vasant Mahadik ..Applicant

Vs.

The State of Maharashtra ..Respondent

...

Mr.D.H.Kumthekar Advocate for Applicant
Mr.I.S.Thakur A.P.P. for State

...

CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.
DATE : APRIL 17,2006

P.C.:

1. Heard the learned advocate for the applicant and learned A.P.P. for the State.

2. The applicant has been convicted for murder. On the date of offence, he was having wet party with his friend and the deceased. Deceased had uttered indecent words about sister of the accused and therefore, accused killed the deceased and cut the body into pieces and put the same in a trunk. There are four to five witnesses, who have stated that the accused carried the trunk from places to places and ultimately, the dead body was found in

the trunk.

3. The learned advocate for the applicant-accused states that there are missing links in the evidence of the prosecution because almost all the important witnesses have turned hostile. Even if missing links are there, the evidence of witnesses i.e. Witness Nos.1,2,4,6,10,11,13,15,16 and 20 show about the trunk being taken to many places and ultimately the dead body was found in the trunk, which is sufficient for rejecting this application. In addition, there is recovery of knife and hammer. Learned advocate for the petitioner states that when the house of accused was searched earlier, nothing was found and these articles must have been planted by the prosecution. This cannot be accepted at this stage.

4. Application is rejected.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]